

CSD 2015 [03/01/15]

Name, Address, Telephone No. & I.D. No.

Thomas H. Billingslea, Jr., Chapter 13 Trustee
 Kathleen A. Cashman-Kramer [SBN 128861]
 401 West "A" Street, Suite 1680
 San Diego, CA 92101
 619-233-7525

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re
 STEPHEN J. AND SHELLY L. LEWIS

BANKRUPTCY NO. 17-04699-CL13

Debtor.

OBJECTION TO CLAIM AND NOTICE THEREOF

TO: Leroy Herszman
 3972 Haines Street
 San Diego, CA 92109

The Trustee Debtor Chapter 13 Trustee, except to the extent already paid by the Chapter 13 trustee, objects to the allowance of Court

Claim No. 15-1, (or if no Court number assigned, Trustee Claim No. 18) of Leroy Herszman

(Name of Creditor)

filed for \$ 22,000.00, on the grounds it:

Duplicates Claim No. _____ filed by _____

The claim was filed after the expiration of the last date to file claims.

Does not include an itemized statement of the account.

Does not include a copy of the underlying

Does not include a copy of the security agreement and evidence of perfection.

Does not include a copy of the writing upon which it is based.

Fails to assert grounds for priority.

For the following objections, attach and serve affidavits or declarations in accordance with Local Bankruptcy Rule 9013-7(a)(1):

Appears to include interest or charges accrued after the filing of this case on _____

Other [State grounds and cite applicable Code section or case authority.]: _____

If you object to the proposed action:

1. **YOU ARE REQUIRED** to obtain a hearing date and time from the appropriate Courtroom Deputy for the judge assigned to your bankruptcy case. If a Chapter 7, 11, or 12 case, determine which deputy to call by looking at the Bankruptcy Case No. in the above caption of this notice. If the case number is followed by the letter:

-	MM	-	call	(619) 557-7407	-	DEPARTMENT ONE (Room 218)
-	LA	-	call	(619) 557-6594	-	DEPARTMENT TWO (Room 118)
-	LT	-	call	(619) 557-6018	-	DEPARTMENT THREE (Room 129)
-	PB	-	call	(619) 557-5157	-	DEPARTMENT FOUR (Room 328)
-	CL	-	call	(619) 557-6019	-	DEPARTMENT FIVE (Room 318)

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2. **WITHIN THIRTY (30) ¹ DAYS FROM THE DATE OF SERVICE OF THIS MOTION**, you are further required to serve a copy of your DECLARATION IN OPPOSITION TO MOTION and separate REQUEST AND NOTICE OF HEARING [Local Form CSD 1184 ²] upon the undersigned moving party, together with any opposing papers. The opposing declaration must be signed and verified in the manner prescribed by Federal Rule of Bankruptcy Procedure 9011, and the declaration must:

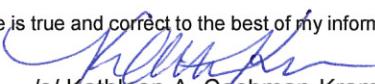
- a. identify the interest of the opposing party; and
- b. state, with particularity, the grounds for the opposition.

3. **YOU MUST** file the original and one copy of the Declaration and Request and Notice of Hearing with proof of service with the Clerk of the U.S. Bankruptcy Court at 325 West "F" Street, San Diego, California 92101-6991, no later than the next business day following the date of service.

IF YOU FAIL TO SERVE YOUR "DECLARATION IN OPPOSITION TO INTENDED ACTION" AND "REQUEST AND NOTICE OF HEARING" within the 30-day¹ period provided by this notice, NO HEARING WILL TAKE PLACE, you will lose your opportunity for hearing, and the debtor or trustee may proceed to take the intended action.

I hereby declare under penalty of perjury that the objection set forth above is true and correct to the best of my information and belief.

DATED: March 8, 2018


/s/ Kathleen A. Cashman-Kramer

Trustee [Debtor]

CERTIFICATE OF SERVICE

I, the undersigned whose address appears below, certify:

That I am, and at all relevant times was, more than 18 years of age;

That on 8 day of March, 2018, I served a true copy of this OBJECTION TO CLAIM AND NOTICE THEREOF, together with the following pleadings [describe any other papers]:

by [describe here mode of service]:
U.S. Mail, postage pre-paid

on the following persons [set forth name and address of each person served] and/or as checked below:

SEE ATTACHMENT TO THIS OBJECTION

For Chpt. 7, 11, & 12 cases: For ODD numbered Chapter 13 cases: For EVEN numbered Chapter 13 cases:

UNITED STATES TRUSTEE
Department of Justice
402 West Broadway, Suite 600
San Diego, CA 92101

THOMAS H. BILLINGSLEA, JR., TRUSTEE
401 West "A" Street, Suite 1680
San Diego, CA 92101

DAVID L. SKELTON, TRUSTEE
525 "B" Street, Suite 1430
San Diego, CA 92101-4507

I certify under penalty of perjury that the foregoing is true and correct.

Executed on March 8, 2018
(Date)


/s/ Kathleen A. Cashman-Kramer
(Typed Name and Signature)

401 West "A" Street, Suite 1680
(Address)

San Diego, CA 92101
(City, State, ZIP Code)

¹If you were served electronically or by mail, you have three (3) additional days to act as specified above pursuant to Fed. R. Bankr. P. 9006(f).

²You may obtain Local Form CSD 1184 from the Office of the Clerk of the U.S. Bankruptcy Court.

Attachment to Notice of Objection to Claim and Notice Thereof

In re Lewis, Case no. 17-04699-CL13

Re: Claim no. 15-1 filed by Leroy Herszman

Additional names and addresses of parties served: (*Indicates served by certified mail, return receipt requested)

Leroy Herszman
3972 Haines Street
San Diego, CA 92109¹*

Law Offices of Michael H. Weiner, APC²*
1660 Hotel Circle North, Suite 302
San Diego, CA 92101

Debtors:
Stephen J. Lewis
Shelly L. Lewis
3975 Via Palo Verde Lago
Alpine, CA 91901

Debtors' Counsel:
Adam B. Arnold
Law Offices of Adam B. Arnold
PO Box 19100
San Diego, CA 92159

Office of the U.S. Trustee:
David Ortiz, Esq.
Office of the U.S. Trustee
880 Front St., Third Floor, Suite 3230
San Diego, CA 92101

¹ Address of the creditor for payments as shown on proof of claim #15-1.

² Address for notice as shown on proof of claim 15-1.